

Public Law 118–162
118th Congress

An Act

To clarify jurisdiction with respect to certain Bureau of Reclamation pumped storage development, and for other purposes.

Dec. 23, 2024

[H.R. 1607]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. LAND WITHDRAWAL AND RESERVATION.

Arizona.

(a) DEFINITIONS.—In this section:

(1) AGREEMENT.—The term “Agreement” means the agreement between the United States and the Association dated September 6, 1917, as amended.

(2) ASSOCIATION.—The term “Association” means the Salt River Valley Water Users’ Association.

(3) COVERED LAND.—The term “covered land” means the portion of the National Forest System land located on the south side of the Salt River from the March 9, 1903, 1-mile withdrawal area for the Bureau of Reclamation purposes extending an additional 2 miles from the Salt River at Roosevelt Dam to 18.25 river miles downstream, in the State of Arizona, not including the Superstition Mountain Wilderness Area and the Tonto National Monument, as depicted on the Map.

(4) DISTRICT.—The term “District” means the Salt River Project Agricultural Improvement and Power District.

(5) MAP.—The term “Map” means the map prepared under subsection (e)(1).

(6) SRP.—The term “SRP” means—

(A) the District; and

(B) the Association.

(b) RESERVATION OF COVERED LAND.—Subject to valid existing rights, the covered land is reserved to the United States, through the Secretary of the Interior, for the exclusive right to use the covered land and interests in the covered land for the development, generation, and transmission of electrical power and energy for the use and benefit of the Salt River Federal Reclamation Project pursuant to the Agreement.

(c) WITHDRAWAL OF COVERED LAND.—The covered land is permanently withdrawn from—

(1) all forms of entry, appropriation, and disposal under the public land laws;

(2) location, entry, and patent under the mining laws; and

(3) operation of the mineral leasing, mineral materials, and geothermal leasing laws.

- Approvals. (d) FACILITIES.—With respect to facilities constructed by SRP on the covered land for the development, generation, and transmission of electrical power and energy—
- Review. (1) the design and specifications shall conform to Bureau of Reclamation standards, and final designs shall be subject to review and approval by the Secretary of the Interior;
- Inspection. (2) all construction work shall be subject to inspection and approval by the Secretary of the Interior;
- Determination. (3) upon a determination of substantial completion of such facilities, the Secretary of the Interior shall accept title on behalf of the United States as part of the Salt River Federal Reclamation Project pursuant to—
- (A) section 6 of the Act of June 17, 1902 (32 Stat. 389, chapter 1093; 43 U.S.C. 498); and
- (B) the Agreement; and
- (4) SRP shall be responsible for the care, operation, and maintenance pursuant to the Agreement.
- (e) MAP.—
- (1) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary of Agriculture shall prepare a map depicting the boundary of the covered land.
- (2) AVAILABILITY.—The Map shall be on file and available for public inspection in the appropriate offices of the Forest Service and the Bureau of Reclamation.
- (f) MANAGEMENT OF COVERED LAND.—Management of the covered lands shall be in accordance with the Management Memorandum among the District, United States Department of Agriculture, Forest Service, and the Bureau of Reclamation, dated April 27, 1979, as amended.
- (g) RELATION TO OTHER LAW.—
- (1) COMPLIANCE WITH ENVIRONMENTAL LAWS.—The Secretary of the Interior is directed to carry out all necessary environmental compliance under the National Environmental Policy Act of 1969 (42 U.S.C. 4321, et seq.), the Endangered Species Act of 1973 (16 U.S.C. 1531, et seq.), and all other applicable environmental laws and regulations, prior to construction of facilities on the covered land for the development, generation, and transmission of electrical power and energy.
- (2) LEAD AGENCY.—The Bureau of Reclamation shall be the lead agency with respect to environmental compliance.
- (3) WITHDRAWAL NOT MAJOR FEDERAL ACTION.—The withdrawal of the covered land shall not constitute a major Federal action under the National Environmental Policy Act of 1969 (42 U.S.C. 4321, et seq.).
- (4) ANTIDEFICIENCY.—The United States shall not be liable for failure to carry out any obligation or activity authorized to be carried out under this title (including any such obligation or activity under the Agreement) if adequate appropriations

are not provided by Congress expressly to carry out the purposes of this Act.

Approved December 23, 2024.

LEGISLATIVE HISTORY—H.R. 1607 (S. 739):

HOUSE REPORTS: No. 118–264 (Comm. on Natural Resources).

CONGRESSIONAL RECORD:

Vol. 169 (2023): Nov. 6, considered and passed House.

Vol. 170 (2024): Dec. 17, considered and passed Senate.

